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DU/C/4-1/15

Executive Registry

74-5382

11 APR 1974

MEMORANDUM FOR: Director of Central Intelligence
THROUGH : Executive Assistant to the Director
FROM : Deputy Director for Management and Services
SUBJECT : Amendment to OSS Declassification Guidelines

1. Action Requested: Approval of change to "Guidelines for Declassification of Office of Strategic Services Records," transmitted to the Archivist of the United States by DCI letter of 16 May 1973. (copy attached.)

2. Background: The extant guidelines prohibit the declassification of documents which identify individuals who subsequently served with US intelligence organizations, unless their affiliation with the OSS had been established in open source literature. In practical application, this restriction has been invoked only for individuals who have served with SSU, CIG, or the CIA inasmuch as reviewing officers have no way of knowing whether OSS veterans have worked for other intelligence organizations. While such documents retain their classified status, National Archives personnel are given authorization to release the documents to requesters after having sanitized the records by excision of names.

The existence of this restriction necessitates a page-by-page review of all documents, thereby ruling out the possibility of blanket declassification of otherwise non-sensitive record series or groups. (Such authority has been requested by NARS for the World War II records of the [redacted] and the records of the Interdepartmental Committee for the Acquisition of Foreign Publications. The [redacted] records are a part of NARS' OSS/RSA holdings; the former [redacted]

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Policy

Quite apart from the declassification workload factor, it is questionable whether the policy of protecting the former OSS affiliation of CIA employees is either effective or necessary. The fact that an individual served with the OSS does not, or should not, automatically make him suspect. Of the approximately [] veterans, less than 1,000 wound up with the Agency--and more than half of these are now separated, often in an overt status. Moreover, it is apparent that many Agency employees who served with the OSS have made no effort to conceal that fact when questioned concerning their World War II activities.

The effort to conceal the former OSS affiliation of CIA employees by deleting their names from documents may have the opposite effect from that intended. It is entirely possible that the requester's curiosity could be stimulated to the point that he would make a determined effort to discover what had been excised. And he might very well be successful in this endeavor, particularly if, as is often the case, the individual whose name was removed had served as a member of a team and the other team members were identified in the document. A number of avenues are open to an enterprising researcher. He might be able to determine the identity of "X" by contacting other team members, by uncovering references in open literature, or by gaining access to other related OSS records (they "pop up" in university libraries and elsewhere) which enumerate the entire membership of the group. The end result would be that the Agency, in withholding an individual's name in order to protect his current intelligence connections, raised suspicion and increased the risk of exposure.

3. Recommendation: It is recommended that, in the interest of expediting the declassification review of OSS records and in view of the dubious wisdom of the current policy, the OSS declassification guidelines be changed to no longer require the protection of identities of OSS non-agent personnel merely on the basis of subsequent service with the CIA.

HAROLD L. BROWNMAN
Deputy Director
for
Management and Services

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CONCUR:

David M. Bled

for Deputy Director for Operations

APPROVED:

16 APR 1974

/s/ W. E. Colby

DISAPPROVED:

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18 MAY 1973

Dr. James B. Rhoads
Archivist of the United States
National Archives and Records Service
Eighth and Pennsylvania Avenue
Washington, D. C. 20408

Dear Dr. Rhoads:

Pursuant to Section 5(E) of Executive Order 11652, the Central Intelligence Agency has detailed three experienced officers to the task of conducting a systematic declassification review of those materials originated by the Agency's predecessor organization, the Office of Strategic Services, and now in the custody of the National Archives (NARS Record Group 226). They are currently in the process of developing a list identifying those records which require continued classification, indicating in each instance the reason why continued protection is deemed necessary. When completed, this list will be submitted to me for final determination and specification of the dates on which such material shall become declassified.

Declassification guidelines have been promulgated to assist the reviewing officers in fulfilling their responsibilities. Although formulated with Record Group 226 specifically in mind, the guidance is also generally applicable to related intelligence records of this Agency. The guidelines are forwarded herewith in the belief that they will prove of interest to the National Archives and of possible use in the broader context of the government-wide declassification program.

Sincerely,

/s/ W. E. Colby
/s/ James R. Schlesinger

/s/ W. E. Colby
James R. Schlesinger
Director

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Enclosure

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Central Intelligence Agency

GUIDELINES FOR DECLASSIFICATION OF
OFFICE OF STRATEGIC SERVICES RECORDS

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General Guidance

The purpose of declassification review is to make available to the general public the maximum amount of data consistent with the obligation to safeguard national security interests, to protect sensitive intelligence methods and sources, to avoid exacerbating foreign relations, and to respect legitimate rights of privacy. Of these, the matter of protection of sensitive intelligence methods and sources will be of paramount concern in determining whether the defense classification of OSS records must be continued. At the risk of oversimplification, "sources" can be defined as the origins of information and "methods" as the ways in which things are accomplished. Often sources and methods utilized in particular programs are essentially inseparable and cannot be considered in isolation.

The Agency's declassification jurisdiction is limited to those records for which the OSS exercised exclusive or final original classification authority. If, as is likely, non-OSS documents are found in the OSS files, such documents should be tabbed or otherwise noted and eventually referred for declassification action to whatever agency exercises current security classification jurisdiction over them. Similarly, classified materials which were received by the OSS from foreign governments or international bodies, with the express understanding that the information would be kept in confidence and that security protection be continued, should be noted for future action but must not be unilaterally declassified or downgraded.

If it is determined that a document must remain classified, but that it could be released provided that certain limited portions (e.g., one or two personal names) were excised, this fact should be noted on the worksheet. This guidance will enable National Archives reference personnel to provide sanitized versions of otherwise classified documents to researchers and should be done, although not required under the provisions of Executive Order 11652.

Detailed Guidance: Named or Identifiable Individuals

1. OSS personnel identities should be protected only if it is known that they continued their association with US intelligence organizations or were otherwise involved in intelligence activities beyond

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the date that the OSS was disbanded. If, however, an individual's affiliation with the OSS has been previously surfaced in open literature, no useful purpose would be served by continuing the classification of the document on the basis of his post-OSS intelligence associations. Documents not declassified because OSS personnel are identified can be declassified 40 years after the publication of the document.

2. Covert agents' identities, even though it is not clear that they were witting of their OSS connections, should continue to be concealed unless it is known that they have voluntarily publicized their intelligence roles or were otherwise exposed beyond any reasonable doubt. If in doubt, do not declassify; protection of agent sources from compromise is fundamental to the continued effectiveness of an intelligence organization. Ideally, agent identities should never be revealed, but such action would be impractical in the real world. Adequate protection can be afforded them and their families if documents identifying them are withheld from declassification until 75 years after the publication date of the document.

3. The identities of liaison officers from cooperating foreign intelligence or counterintelligence services should be protected from disclosure. Declassification of such matters requires the concurrence of the foreign government concerned. The date that such documents can be declassified is thus impossible to determine.

4. If a contact in a foreign government is identified as the source of information, his identity should be protected unless it is clear that he was consciously passing information to a member of the OSS in accordance with instructions from his superiors. If the document reveals a degree of collaboration between a foreigner and the OSS, the disclosure of which could be a source of acute embarrassment to him, its classification should be continued. Do not rule in favor of declassification if any reasonable doubt exists. The declassification date for such documents should be 75 years after the publication date.

5. The identities of US private citizens who had furnished information, or otherwise cooperated with, the OSS with the understanding that their role would be kept in confidence should be accorded protection from public disclosure. In those instances where they are not identified by name, a judgment should be made as to whether the source description is specific enough to permit their identification. The date that such documents could be declassified is 75 years after the publication date.

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6. Individuals, particularly US citizens, mentioned in investigative reports or similar records, the release of which would constitute an unwarranted invasion of privacy or a breach of confidence, should be protected from disclosure. Though covered also in the Freedom of Information Act, the need for protection in national security related documents justifies continued classification. Such documents could be declassified 75 years after the document's publication date.

7. Any report containing information, the disclosure of which would place an identified or identifiable person in immediate jeopardy--whether covered by the foregoing categories or not--should, of course, continue to be classified. Such documents could be declassified 75 years after the publication date.

Detailed Guidance: Intelligence Methods

1. Sensitive intelligence methods which must be afforded protection beyond the 30-year mandatory review period include information concerning or revealing techniques of agent recruitment, nonofficial and other unconventional cover arrangements, deception techniques, methods and equipment employed for covert communications, technical surveillance devices and strategies, microphotographic methods and equipment, escape and evasion techniques, i.e., provided that such methods are not essentially identical to those universally employed by intelligence services and therefore widely known, or that advances in technology have not rendered such methods and supporting equipment entirely obsolete. Documents containing such information must remain classified as long as the methods are utilized in operations, and therefore it is impossible to fix a date for automatic declassification.

2. Methods related to logistical and other support activities--as opposed to intelligence collection and covert action techniques--adapted to the particular operations and circumstances of World War II, do not in themselves qualify as sensitive methods requiring continued protection.

3. Information with respect to the internal organization of the OSS, the chain of command, component functional missions and personnel ceilings, and intercomponent working relationships has lost much of its sensitivity with the passage of time. Moreover, a considerable amount of this sort of information has already appeared in open literature. Documents dealing with the various cover organizations created or employed by the OSS, however, should continue to be classified for 60 years after the publication date of the document.

Detailed Guidance: Communications Intelligence and Cryptography

1. Communications intelligence, cryptography, and related activities must be provided with protection from premature disclosure unless technological improvements have greatly diminished

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their sensitive nature. Included are any data concerning or revealing the processes, techniques, technical materiel and equipment, particular operations and overall scope of communications intelligence, and cryptographic security. The date for declassification of such information, being dependant upon the factor of obsolescence, is therefore impossible to predetermine.

2. Decrypted cables should be declassified on the basis of their subject matter content. Modern techniques of massive computer attack against encryted intercepts of World War II systems are so effective that it must be assumed that any hostile intelligence service which decided to expend the effort to retrospectively process the data could have read the texts of cable messages.

Detailed Guidance: Subject Matter Content

1. Classified information contained in OSS documents and other record media, regardless of the subject, the origin of which can be clearly traced to another US Government agency, should not be declassified unilaterally. Declassifying or downgrading action must await the decision of the agency exercising current declassification authority and therefore the date would be impossible to determine.

2. Classified information which was passed to the OSS by liaison representatives of foreign intelligence or counterintelligence services and subsequently incorporated into OSS documents should not be declassified unilaterally when it is apparent that this was the case. Declassification of such material must await the concurrence of the foreign government concerned, and the date for declassification is therefore impossible to determine.

3. Any information which would probably adversely affect the conduct of present day or future US foreign policy or international security arrangements if disclosed should not be declassified without the prior concurrence of the Département of State and/or the Department of Defense, even though the document and the information contained therein is exclusively OSS in origin. Declassification or downgrading action must await the decision of the competent agency, and therefore the date would be impossible to determine.



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5. With the passage of 30 years, the reportorial and analytical content of the bulk of OSS documentation will have lost whatever sensitivity it once had. Illustrative of the subject matter which can be

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readily declassified are: translations or summaries from the foreign press and radio broadcasts; prisoner interrogation reports; translations or summaries of captured enemy documents; statistical data or other purely factual reporting, with little or no attempt at predictive analysis; information dealing with conditions prevailing at a particular point in time, e.g., enemy order of battle, and thus highly perishable; and any information which has been extensively and accurately reported in the press or in other open source publications.

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